



United States Environmental Protection Agency
Region I – New England
5 Post Office Square - Suite 100
Boston, MA 02109-3912

MAR 14 2014

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Honorable Kevin J. Dumas
City of Attleboro, Massachusetts
Attleboro City Hall
77 Park Street
Attleboro, MA 02703

RE: Administrative Order Docket No. 10-013
Compliance Schedule Modification

Dear Mayor Dumas:

On June 21, 2010, the US Environmental Protection Agency ("EPA") issued the City of Attleboro ("City") the above-referenced Administrative Order ("Order"), requiring, among other things, that the City develop, construct, and test a full-scale pilot system for the removal of nitrogen at the City's wastewater treatment plant ("WWTF"). EPA has reviewed the 2013 pilot plant performance summary report, submitted to EPA on February 28, 2014 ("2013 Summary Report"). In this report, the City summarizes plant performance over the past two years of pilot testing and describes additional testing of the nitrogen removal system that the City would like to perform over the next two seasons to address limitations to the pilot testing conducted to date.

According to the report, high loadings of ammonia from a local industry adversely impacted the performance of the pilot system during significant periods of testing over the past two seasons. While the data showed that system performance was sufficient to meet the final permit limits during the periods of operations not impacted by the industry source, the City is requesting an extension of the interim limits for total nitrogen to allow for additional testing of the system during colder weather and under stressed conditions, such as when all treatment equipment is not available.

Based on our review, EPA is granting this request and modifying the Order as follows:

1. By December 31, 2014, the City shall submit to EPA and the Massachusetts Department of Environmental Protection ("MassDEP") a report assessing the full-scale pilot plant operations during the 2014 nutrient removal season and its ability to achieve nitrogen removal and maintain compliance with the 8 milligram/liter total nitrogen monthly average concentration limit contained in the NPDES Permit ("2014 Report"). If the City determines that the continued implementation of the full-scale pilot will result in compliance with the total nitrogen limits contained in its NPDES Permit, it shall implement the 2015 capital improvements described in the 2013 Summary Report. If the City determines that continued implementation of the full-scale pilot will not result in compliance with the total nitrogen limits contained in its NPDES Permit, the 2014 Report shall include a plan to comply with the limits contained in the NPDES Permit.

2. By December 31, 2015, the City shall submit a final report to the EPA and MassDEP summarizing the results of the WWTF pilot program and the effectiveness of any additional modifications made to the system.
3. The City shall, at a minimum, comply with the monitoring requirements and interim effluent limitations for total nitrogen in Attachment 1 of the Order until the earliest of:
(a) May 1, 2016; (b) EPA modifies the interim limit based on full-scale pilot plant operations; or (c) the date, if any, that EPA determines that the City has not complied with any portion of the Order or this Modification, at which time the limits in the NPDES permit become effective.

The City shall also comply with all other effluent limitations, monitoring requirements and other conditions specified in the NPDES Permit and the Order not addressed by this Modification. It is Attleboro's obligation to properly operate and maintain its WWTF at all times.

Please contact David Turin at (617) 918-1598 or turin.david@epa.gov, or have your attorney contact Toni Bandrowicz at (617) 918-1734, if you have any questions.

Sincerely,



Susan Studlien, Director
Office of Environmental Stewardship

CC: Paul Kennedy, Wastewater Superintendent, Attleboro
David Burns, MassDEP
Toni Bandrowicz, EPA